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EXAMINER

LO, L

ART UNIT

PAPER NUMBER

2614

DATE MAILED:

06/20/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/418,822

Applicant(s)

ICHIFUJI ET AL.

Examiner

Linus H Lo

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 1999, Pre-Amend.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 08/844,431.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,4.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 12, 14-16, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Lawler et al. '838.

Considering claim 12, Lawler et al. disclose a program time guide for an interactive system. Lawler et al. disclose the following claimed limitations, note :

1) the claimed digital broadcasting receiver which displays video or a plurality of character information strings of programs when receiving digital broadcasting is met by the viewer stations 16 (column 5, lines 7-28, and column 6, lines 41-53, and FIG. 3),

2) the claimed omission display controller which omits a part of a character information string of a program when the character information string of the program cannot be displayed in full in a first prescribed zone is met by the description of interactive station controller 18 (column 8, lines 24-26 and 46-54, FIG. 3) where FIG. 3 depicted an program title with the abbreviated title with a string of period "..." to indicate the abbreviation of the title which is considered as the omission, and

3) the claimed full display controller which displays, in response to a predetermined selection, an entirety of the character information string of the program form

Art Unit: 2614

which part omitted in a second prescribed zone is met the interactive station controller 18 (column 8, lines 24-26 and column 10, 16-41, and FIG. 3), where the described focus frame 102 is considered as the predetermined selection and the described program summary panel 108 includes the full title of the program 112 which is considered as the an entirety of the character information string of the program form which part omitted in a second prescribed zone.

Considering claim 14, the claimed select controller which select a character information string of a program form the plurality of character information strings of the programs is met by input device (column 10, lines 57-66, and 22-36, and FIG. 3), where the selected program by the focus frame would further render the program summary panel as depicted in FIG. 3 that consists the plurality of character information strings of the programs.

Consider claim 15, the claimed omission display controller adds an omission symbol to a remaining part of the character information string of the program from which a part was omitted when displaying the remaining part of the character information string of the program from which a part was omitted in the first prescribed zone is met by controller 18 (column 8, lines 24-26 and 46-54, FIG. 3) where FIG. 3 depicted an program title with the abbreviated title with a string of period "..."(omission symbol) to indicate the abbreviated title.

Considering claim 16, Lawler et al. disclose a program time guide for an interactive system. Lawler et al. disclose the following claimed limitations, note :

Art Unit: 2614

1) the claimed digital broadcasting receiver which displays video or a plurality of background information block indicative of program time when receiving digital broadcasting is met by the viewer stations 16 (column 5, lines 7-28, and column 6, lines 41-53, and FIG. 3),

2) the claimed display change controller which change a background information block indicative of program time when the background information block indicative of program time cannot be displayed in full in a first prescribed zone is met by the description of interactive station controller 18 (column 8, lines 24-26 and 46-54, FIG. 3) where FIG. 3 depicted an program tile 88 with the abbreviated title with a string of period "..." to indicate the abbreviation of the title which is considered as the background information block indicative of program time cannot be displayed, while the program tile 88a which depicted the background information block indicative of program time be able displayed in full in a particular prescribed zone, and

3) the claimed full display controller which displays, in response to a predetermined selection, full program time information of the changed background information block indicative of program time in a second prescribed zone is met the interactive station controller 18 (column 8, lines 24-26 and column 10, 16-41, and FIG. 3), where the described focus frame 102 is considered as the predetermined selection and the described program summary panel 108 includes the full title of the program 112 which is considered as the full program time information of the changed background information block indicative of program time in a second prescribed zone.

Art Unit: 2614

Considering claim 18 , the claimed select controller which select a background information block indicative of program time from the plurality of background information block indicative of program time is met by input device (column 10, lines 57-66, and 22-36, and FIG. 3), where the selected program by the focus frame would further render the program summary panel as depicted in FIG. 3 that consists the plurality of character information strings of the programs.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler et al. '838 in view of Chang et al. '563 (submitted prior art).

Considering claim 13, Lawler et al. disclose all the claimed limitations except for the claimed judge controller which judges whether a character information string of a program can be displayed in full in the first prescribed zone.

Nonetheless, Lawler et al. teach the selectively displaying the character information in full or in abbreviated in the first prescribed zone as depicted in FIG. 3 and column 8, lines 46-54, where tile 88 display the omitted part of character information string and while tile 88a display a full character information string. Furthermore, Chang et al. disclose the claimed judge controller which judges whether a character information string of a program can be

Art Unit: 2614

displayed in full in the first prescribed zone is met by the description at column 3, lines 37-42 and column 6, lines 18-39 and FIG. 8C, where the description at column 6 elucidated the function of judging whether a character information string of a program can be displayed in full in the first prescribed zone.

Since it was known in the art that in order to selectively display a full character information string (full program title) or an omitted part of character information string (abbreviated character information string) in the grid type program guide (graphical user interface) as depicted in FIG. 3 of Lawler et al., where a judge controller which consists the judgement function would have been inherently included. Furthermore Chang et al. demonstrated it is well known in the art to recognize the claimed judge controller for display either the full character string or truncated character string in the grid formatted graphical user interface as discussed above. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to recognize the claimed judge controller which judges whether a character information string of a program can be displayed in full in the first prescribed zone as taught by Chang et al. in the system of Lawler et al..

Considering claim 17, Lawler et al. disclose all the claimed limitations except for the claimed judge controller which judges whether a background information block indicative of program time can be displayed in full in the first prescribed zone.

Nonetheless, Lawler et al. teach the selectively displaying the abbreviated or full background information block of a program title for a particular time slot in the first prescribed zone as depicted in FIG. 3 and column 8, lines 46-54, where tile 88 display the omitted part of

Art Unit: 2614

background information block and while tile 88a display a full background information block. Furthermore, Chang et al. disclose the judge controller which judges whether an information block can be displayed in full in the first prescribed zone as described by the description at column 3, lines 37-42 and column 6, lines 18-39 and FIG. 8C, where the description at column 6 elucidated the function of judging whether the information block can be displayed in full in the first prescribed zone.

Since it was known in the art that in order to selectively display a full background information block (full program title) or an omitted part of character information string (abbreviated background information block) in the grid type program guide (graphical user interface) as depicted in FIG. 3 of Lawler et al., where a judge controller which consists the judgement function would have been inherently included. Furthermore Chang et al. demonstrated that it is well known in the art to recognize the claimed judge controller for display either the full information block or truncated information block in the grid formatted graphical user interface as discussed above. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to recognize the teaching of Chang et al. and further obviously rendered the recognition of the claimed judge controller which judges whether a background information block indicative of program time can be displayed in full in the first prescribed zone in the system of Lawler et al..

Art Unit: 2614

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morrison discloses an electronic program guide .

Proehl et al. disclose an electronic program guide having different modes for viewing.

Alexander et al disclose a system for displaying and recording control interface with television program, video, advertising information and program scheduling information .

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306 or 308-6396, (for formal communications intended for entry) and (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2614

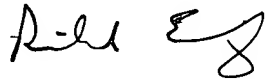
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linus H. Lo whose telephone number is (703) 305-4039. The examiner can normally be reached on Monday-Thursday from 8:30 am to 6:00 pm. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reinhard Eisenzopf can be reached on (703) 305-4711. The fax phone number for this Group is (703) 308-5359.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

lhl LL

June 17, 2001

 6-18-01
REINHARD J. EISENZOPF
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